IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Crl.Misc.No. 404-M of 2007

DATE OF DECISION: FEBRUARY 26, 2007

Baljinder Singh

...PETITIONER

VERSUS

State of Punjab

...RESPONDENT

CORAM: HON'BLE MR.JUSTICE SATISH KUMAR MITTAL

Present: Mr. Jagdeep S.Virk, Advocate,
for the petitioner.
Mr.N.S.Gill, AAG, Punjab.

...

Petitioner Baljinder Singh, apprehending his arrest in pursuance of the non-bailable warrants issued by the trial court in case FIR No.189 dated 30.8.2005 registered under Sections 22/61/85 of the NDPS Act and Section 15 of the Indian Council Act at Police Station Kot Bhai, District Muktsar, has filed this petition under Section 438 Cr.P.C. for grant of anticipatory bail.

While issuing notice of motion on January 9, 2007, the arrest of the petitioner was stayed subject to the condition that he will appear before the trial court and furnish his fresh regular bail bonds to its satisfaction.

I have heard the counsel for the parties.

Counsel for the petitioner contends that the petitioner was on regular bail in the aforesaid case and was regularly appearing, but on 4.1.2007, he could not appear and his bail bonds were cancelled and he was summoned through non-bailable warrants. Counsel contends that the petitioner could not appear on the aforesaid date as he had wrongly noted the date as 3.2.2007. Counsel further contends that in terms of the interim order dated January 9, 2007, the petitioner had appeared before the trial court and furnished his fresh bail bonds which have been accepted and attested and since then he is regularly appearing. Counsel for the respondent-State on instructions from HC Bagga Singh, does not dispute this fact.

In view of the above, the interim order dated January 9, 2007 is made absolute.

Disposed of accordingly.

February 26, 2007 (SATISH KUMAR MITTAL)
vkg JUDGE